

REMARKS

This is a full and timely response to the outstanding final Office Action mailed March 20, 2003. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

1. Present Status of Patent Application

Upon entry of the amendments in this response, claims 1-11, 14-21, 23-62, and 64-68 remain pending in the present application. More specifically, claims 1, 10, 21, 25-26, 34, 36, 43-44, 57, and 61 are currently amended and claims 12-13 and 63 are canceled herein without prejudice, waiver, or disclaimer. These amendments are specifically described hereinafter. It is believed that the foregoing amendments add no new matter to the present application.

2. Cancellation of Claims

Claims 12-13 and 63 are canceled without prejudice, waiver, or disclaimer. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

3. Response To Objections/Rejections

Response To Claim Rejections Under 35 U.S.C. Section 102

Claims 1, 2, 7-9, 12, 19-21, 23, 24, 27, 43, 45, 47, and 66 have been rejected under 35 U.S.C. §102(b) as allegedly anticipated by *Murakami et al.* (U.S. Patent No. 5,747,878). Claim 12 has been canceled without prejudice, waiver, or disclaimer, thus rendering the rejection of these claims moot. These claims have been amended to incorporate subject matter deemed to be allowable or depend from such an allowable claim. Applicants respectfully request that the rejection be withdrawn.

Response To Claim Rejections Under 35 U.S.C. Section 103

Claims 3-5 and 65 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Murakami et al.* in view of *Yagura et al.* (U.S. Patent No. 6,188,137). Claims 6, 14-18, 26, 29-33, and 41 have been rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over *Murakami et al.* in view of *Uchibori et al.* (U.S. Patent No. 5,982,036). Claims 49 and 55 have been rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over *Murakami et al.* in view of *Akiba* (U.S. Patent No. 6,255,679). These claims have been amended to incorporate subject matter deemed to be allowable or depend from such an allowable claim. Applicants respectfully request that the rejection be withdrawn.

Response To Claim Rejections Under 35 U.S.C. Section 112, Second Paragraph

Claims 21 and 34 have been rejected under 35 U.S.C. 112, Second Paragraph, as purportedly “being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” *Office Action* at 7. The Office Action claims that “[t]he language ‘additional overlayers of conductive metal are not necessary in the ohmic contact’ as recited in claims 21 and 34 is vague....” *Id.* Claim 21 has been amended to delete this phrase and replace it with --a low sheet resistance layer disposed upon the refractory layer.-- Claim 34 has been amended to delete the word “necessary.” Applicants submit that the rejection of these claims may now be withdrawn.

4. Allowable Subject Matter

Claims 36-42, 44, 48, 52-54, 57-59, 62, 64, 68 are allowed. Applicants thank the Examiner for the allowed claims.

Further, the Office Action states that:

Claims 10, 13, 25, 28, 35, 46, 50-51, 56, 60-61, 63, and 67 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Office Action at 6.

Applicants thank the Examiner for the suggestion and have largely complied with the suggested amendments. Specifically, the subject matter of claim 13 has been incorporated into independent claim 1. Thus, claim 1, and all claims dependent upon claim 1, are believed to be allowable. Similarly, the subject matter of claim 63 has now been incorporated into independent claim 21. Thus, claim 21, and all claims dependent upon claim 21 are believed to be allowable. The Office Action indicated that a refractory layer comprising titanium, along with the other features of the ohmic contact of claim 43, is allowable. Independent claim 43 has also been amended to incorporate this allowable subject matter. Thus, claim 43, and claim 47 dependent upon claim 43, are now believed to be allowable. Applicants therefore request that the objections be withdrawn.

Claim 34 has been indicated as being “allowable if rewritten or amended to overcome the rejections(s) under 35 U.S.C. 112, second paragraph, set forth in the previous Office action.” (Emphasis in original.) *Id.* Applicants have amended claim 34 accordingly, and respectfully submit that claim 34 is now in condition for allowance. Therefore, claims 35, 46, and 67, which depend from claim 34, are also believed to be allowable.

5. Prior Art Made of Record

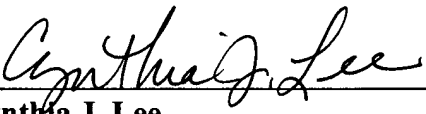
The prior art newly made of record has been considered, but is not believed to affect the patentability of the presently pending claims.



CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed and/or accommodated, and that the now pending claims 1-11, 14-21, 23-62, and 64-68 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



Cynthia J. Lee
Registration No. 46,033

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231, on 06.18.03 ✓



Signature – Gloria Simmons